

House of Representatives, March 9, 1998. The Committee on Judiciary reported through REP. LAWLOR, 99th DIST., Chairman of the Committee on the part of the House, that the bill ought to pass.

AN ACT PROHIBITING THE SALE TO MINORS OF CONTAINERS OF NITROUS OXIDE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 (NEW) (a) Any person who sells, gives or
2 delivers to any minor under eighteen years of age
3 any container exclusively containing nitrous
4 oxide, unless the minor is delivering or accepting
5 delivery in his capacity as an employee, shall be
6 fined not more than two hundred dollars for the
7 first offense, not more than three hundred fifty
8 dollars for a second offense within an
9 eighteen-month period and not more than five
10 hundred dollars for each subsequent offense within
11 an eighteen-month period.

12 (b) Any person under eighteen years of age
13 who purchases or misrepresents his age to purchase
14 any container exclusively containing nitrous oxide
15 shall be fined not more than fifty dollars for the
16 first offense and not less than fifty dollars nor
17 more than one hundred dollars for each subsequent
18 offense.

19 (c) Each retailer of containers exclusively
20 containing nitrous oxide or employee of such
21 retailer shall require a person who is purchasing
22 or attempting to purchase a container exclusively

23 containing nitrous oxide, whose age is in
24 question, to exhibit proper proof of age. If a
25 person fails to provide such proof of age, such
26 retailer or employee shall not sell any container
27 exclusively containing nitrous oxide to the
28 person. As used in this section, "proper proof"
29 means a motor vehicle operator's license, a valid
30 passport or an identity card issued in accordance
31 with the provisions of section 1-1h of the general
32 statutes.

33 JUD COMMITTEE VOTE: YEA 32 NAY 1 JF

* * * * *

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

* * * * *

FISCAL IMPACT STATEMENT - BILL NUMBER HB 5315

STATE IMPACT See Explanation Below
MUNICIPAL IMPACT See Explanation Below
STATE AGENCY(S) Various Criminal Justice Agencies

EXPLANATION OF ESTIMATES:

STATE AND MUNICIPAL IMPACT: Passage of the bill would result in additional workload for law enforcement and criminal justice agencies that can be absorbed within current budgetary and caseload structures. Any revenue from collected fines is anticipated to be minimal.

* * * * *

OLR BILL ANALYSIS

HB 5315

AN ACT PROHIBITING THE SALE TO MINORS OF CONTAINERS OF NITROUS OXIDE.

SUMMARY: This bill prohibits selling, giving, or delivering containers of pure nitrous oxide to people under age 18, unless the minor is delivering or accepting them as an employee. Violators may be fined up to \$200 for a first offense, and up to \$350 and \$500 respectively for second and subsequent offenses committed within 18 months of the first.

The bill also prohibits a minor from purchasing or misrepresenting his age to purchase containers of pure

nitrous oxide. Minors may be fined up to \$50 for a first offense and between \$50 and \$100 for each subsequent offense.

When a would-be purchaser's age is in question, the bill requires the nitrous oxide retailer or his employee to verify age from a driver's license, passport, or Department of Motor Vehicles identity card. Presumably, the retailer or his employee could affirmatively defend himself against a charge of illegal sale by showing that he viewed one of the listed documents.

EFFECTIVE DATE: October 1, 1998

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report
Yea 32 Nay 1